

CMS to share information with DHS, upon request, and a policy choice made by ICE not to use certain information as the basis for pursuing a civil immigration enforcement action. These federal laws have long apprised the regulated public that immigration authorities have access to “broad swaths” of information possessed by other federal agencies relevant to immigration enforcement. Brief of Appellee State of California in *United States v. California*, No. 18-16496, 2018 WL 5880015 (9th Cir. Nov. 5, 2018) (“When Congress has intended to reach broad swaths of information, or specifically a person’s address, it has used different words. For example . . . the INA requires federal agencies to communicate to ICE, upon request, ‘[a]ny information in any records . . . as to the identity and location of aliens,’ [8 U.S.C. 1360(b).]’); see also Policy Memorandum 11066.2 at 4. To ensure that the public is aware that CMS intends to disclose certain information to DHS consistent with federal laws, including available information contained in program eligibility information, CMS is publishing this notice and will update relevant websites to reflect that federal laws authorize CMS to share certain information with DHS.

ICE determined, as stated in ICE Policy Memorandum 11066.2, that the “value of this information to immigration and criminal law enforcement operations outweighs any relevant reliance interests.” ICE Policy Memorandum 11066.2 at 4. Pursuant to the 6 U.S.C. 122(a)–(b), 8 U.S.C. 1360(b), and 8 U.S.C. 1373, “ICE has always had authority to request and receive information for immigration enforcement purposes.” ICE Policy Memorandum 11066.2 at 5.

As ICE stated, “[t]he statutory provisions that both give ICE the right to request this information, and that require aliens to affirmatively provide that information to ICE upon request, are longstanding, and there is no exception to their application under Medicaid.” ICE Policy Memorandum 11066.2 at 6.

Given the longstanding legal requirements for aliens to apprise immigration authorities of their whereabouts, whatever reliance states, providers, beneficiaries, health insurance issuers, other regulated entities, and the general public have placed on DHS’s exercise of its enforcement discretion and CMS’s information not being shared with immigration authorities due to that exercise of discretion is entitled to little to no weight. The biographical and

location information that ICE intends to seek from CMS is information that ICE has long had a right to access. Accordingly, any interests in not sharing this information with ICE are greatly diminished and outweighed by ICE’s legitimate law enforcement interests.

Moreover, while some states and providers contend that it would be detrimental to public health if aliens do not partake in federal health benefits for which they are eligible (for example, federally funded Medicaid services for emergency medical conditions) because if CMS shares information with ICE, the legal requirements regarding information sharing with ICE long predate restrictions on Medicaid to unqualified aliens. *Compare, e.g.,* 8 U.S.C. 1360(b) (enacted in Immigration and Nationality Act, 66 Stat. 163, 234 (1952)), with 42 U.S.C. 1396b(v)(1), 8 U.S.C. 1611(b)(1)(A) (enacted in Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 110 Stat. 2105, 2180). The concerns of states and providers are entitled to little to no weight because they reflect the scheme that Congress created, which provides benefits to aliens under certain limited circumstances and gives immigration authorities the right to access information that arises from the conferral of those benefits.

Finally, to the extent that states provide data to CMS on aliens who receive health benefits or services funded only by the state, states are doing so voluntarily. CMS only requires states to submit data associated with beneficiaries who receive federally-funded Medicaid services. It is incumbent upon the states to separate the data that they collect when submitting it to CMS. Any reliance interests with respect to the population of aliens who receive health benefits or services funded only by states are entitled to no weight since states are not required to submit this information to CMS.

VI. Additional Information

Although notice and comment is unnecessary for this statement, CMS has been explicitly instructed by the district court in *California v. HHS*, No. 3:25-cv-05536 (N.D. Cal.), to address its reasons for forgoing notice and comment.

As explained above, CMS’s prior policy statement that it would not use CMS data or information for immigration enforcement purposes was made in the context of ICE’s prior policy, as described in its 2013 Policy Memorandum, to exercise its enforcement discretion to abstain from requesting information from CMS as the

basis for pursuing a civil immigration enforcement action. CMS’s prior policy statement did not change legal norms, as described above, created by Congress.

This notice communicates a CMS policy that CMS will share certain information consistent with federal law authorizing such sharing with respect to requests for CMS information from DHS and ICE. CMS is accordingly updating its policy statement in this regard. CMS is publishing this notice solely to inform interested parties of its decision to provide information to ICE consistent with federal law. This is, at the most, a policy statement as defined by 5 U.S.C. 553(b)(A) and (d)(2) and is exempt from notice and comment for that reason alone. *See Perez v. Mortgage Bankers Ass’n*, 575 U.S. 92, 95 (2015) (not all rules must be issued through notice and comment, including interpretive rules and general statements of policy under section 4(b)(A) of the Administrative Procedure Act.).

The Administrator of the Centers for Medicare & Medicaid Services (CMS), Mehmet Oz, having reviewed and approved this document, authorizes Evell Barco Holland, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Evell Barco Holland,

Federal Register Liaison, Centers for Medicare & Medicaid Services.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[OMB #: 0970-0307]

Submission for Office of Management and Budget Review; State Court Improvement Program

AGENCY: Children’s Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families (ACF) is requesting a 3-year extension of the State Court Improvement Program (SCIP) Strategic Plan Template and Annual Self-Assessment (Office of Management and Budget (OMB) #: 0970-0307, expiration February 28, 2026). There are minor updates to the self-assessment to reflect new legislation as well as to support technical

assistance. The collections are necessary to continue operating the program in compliance with congressional reauthorization.

DATES: *Comments due December 26, 2025.*

ADDRESSES: The public may view and comment on this information collection request at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202511-0970-007. You can also obtain copies of the proposed collection of information by emailing opreinfocollection@acf.hhs.gov. Identify all emailed requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: The SCIP provides federal funding to state courts to assess their child welfare and judicial practices and develop and implement improvement plans. States use funds in a variety of ways, including improving legal representation and hearing quality, enhancing the engagement of families in court proceedings, and supporting child welfare and court partnerships. The

proposed collection is a continuation of the current collection and comprised of two instruments: A strategic plan and self-assessment. The self-assessment reflects what the state has done in the prior year focusing on its progress and status within the change management cycle. The strategic plan looks forward to those interventions and actions the state plans to undertake to address needs or buttress strengths they have discovered in their assessment activities. These two instruments serve as an application for annual SCIP funding as well as a source for data which are shared back with SCIP grantees to support their community learning and peer connections, to inform technical assistance, and support any reporting to Congress and others. Regarding updates to the self-assessment and strategic plan, a minor change was made early in 2025 to the self-assessment in response to Executive Orders, amounting to one optional topical box and a few drop-down categories being removed. Additionally, the following minor changes are

proposed to the currently approved version of the self-assessment. These do not impact estimated time to respond.

- Brief questions were added on IV-E funding, self-assessment point of contact or publishing information, and additional collaborative partners.

- Dropdown categories have been added to reduce burden and improve data where 'other' was too often selected.

- Some questions about technical assistance states participated in were removed because alternative data sources were found that reduced burden.

No changes are proposed to the strategic plan.

The next application will be due June 30, 2026.

Respondents: We anticipate the highest state court of every state, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands to respond. All 53 jurisdictions currently participate in the program. One response from each jurisdiction is anticipated.

ANNUAL BURDEN ESTIMATES

Instrument	Total number of respondents	Total number of responses per respondent	Average burden hours per response	Total burden hours	Annual burden hours
Annual Self-Assessment	53	1	40	6360	2,120
Strategic Plan	53	* .20	52	1653.6	551.2
Estimated Total Annual Burden Hours	2,671.20

* The full Strategic Plan is completed every 5 years. In years when the Strategic Plan is not completed, respondents may spend minimal time updating relevant sections of the Strategic Plan. This is accounted for in the estimate for the Annual Self-Assessment.

Authority: 42 U.S.C. 629h.

Mary C. Jones,
ACF/OPRE Certifying Officer.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2025-N-1137]

Nicole Shelby Randall: Final Debarment Order

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is issuing an order under the Federal Food, Drug, and Cosmetic Act (FD&C Act) debarring Nicole Shelby Randall for a period of 5 years from importing

or offering for import any drug into the United States. FDA bases this order on a finding that Ms. Randall was convicted of one felony count under Federal law for introduction of an adulterated drug into interstate commerce. The factual basis supporting Ms. Randall's conviction, as described below, is conduct relating to the importation into the United States of a drug or controlled substance. Ms. Randall was given notice of the proposed debarment and was given an opportunity to request a hearing to show why she should not be debarred. As of July 30, 2025 (30 days after receipt of the notice), Ms. Randall had not responded. Ms. Randall's failure to respond and request a hearing constitutes a waiver of her right to a hearing concerning this matter.

DATES: This order is applicable November 25, 2025.

ADDRESSES: Any application by Ms. Randall for termination of debarment under section 306(d)(1) of the FD&C Act

(21 U.S.C. 335a(d)(1)) may be submitted at any time as follows:

Electronic Submissions

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. An application submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your application will be made public, you are solely responsible for ensuring that your application does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your application, that information will be posted on <https://www.regulations.gov>.

- If you want to submit an application with confidential